A

B I L L

TO

Amend the Law relating to Port and Harbour Authorities in Ireland.

A.D. 1888.

WHEREAS it is desirable to make more uniform the qualification of the harbour board electorate and mode of election of harbour authorities in the portal cities and towns in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Election of harbour authorities.

1. Harbour authorities shall in future and after the *passing of this Act* be elected for the port towns and cities in Ireland on the basis of the Parliamentary electorate, and the Parliamentary list of voters as revised at the last preceding revision shall be the list of electors qualified to vote at the election of said harbour authorities, such harbour authorities to be called Harbour Commissioners.

Extent of the electoral area.

2. The electoral area for the election of Port and Harbour Commissioners shall, in boroughs and corporate towns, be the present existing municipal area in said boroughs and corporate towns, and in townships constituted under the Towns Improvement Act of 1854, be the existing township area, and for seaport towns other than boroughs, corporate towns, and townships the electoral area for the election of Harbour Commissioners shall be the poor law divisions within which such seaport towns are situated.

3. The number of members constituting the boards of Harbour Commissioners shall be as in Schedule I. of this Act.

Rated occupiers to hold meeting to consider if a harbour board is wanted.

4. Where in any portal harbour in Ireland of which the adjoining town has a population of over one thousand inhabitants there is at present no existing harbour board, it shall be lawful for the rated inhabitants interested in the promotion of the trade and shipping of the locality to hold a public meeting, and if at such meeting it be

Printed image digitised by the University of Southampton Library Digitisation Unit

A.D. 1888.

resolved to establish a board of Harbour Commissioners, the chairman of such meeting shall be empowered to order an election of of members of such board in the same manner as the Lord Mayor of Dublin, the mayors of boroughs, and chairmen of town commissioners.

Returning officers to make arrangements for the elections.

5. The Lord Mayor of Dublin, the mayors of boroughs, the chairmen of town commissioners, or the chairman of any public meeting which shall be held for the purpose in towns where no harbour board at present exists, shall, as returning officers, be empowered to divide the electoral port and harbour area into such or so many polling districts as they shall deem necessary for the purpose of enabling the electors to record their votes at the elections, and to make such other arrangements as they may deem desirable, and the expense of same shall be paid out of harbour fees or funds where harbour authorities already exist.

Payment by candidates towards expenses where no harbour authorities already exist.

6. In cases where no harbour authorities already exist, after the nomination and before the day of election each duly nominated candidate shall hand to the chairman of the public meeting in his capacity of returning officer the sum of *ten pounds* towards the payment of the necessary expenses of the election, and within three days after election is declared a duly audited and certified account of the expenses shall be made out and a copy given to each candidate, and the balance, if any, be returned to the candidates in proportionate shares.

Mode of election.

7. On the *first day of December*, or the day after, if the former should fall on Sunday, the nomination of candidates shall take place, and in the following manner.

The Lord Mayor or mayor, as the case may be, or the chairman of the harbour board for the time being, the chairman of the town commissioners, or the chairman of the public meeting held for the purpose, shall attend at the office of the harbour board, or as in the last case at such place as the chairman may appoint, at one o'clock on said *first day of December*, or day following, if the preceding day be Sunday, and shall receive the nomination of candidates duly qualified to be elected on the board of harbour commissioners, eight nominators for each candidate being necessary.

At two o'clock on said first day of December, or day following, as the case may be, the Lord Mayor, mayor, chairman of the harbour board, chairman of the town commissioners, or chairman of meeting, shall hold a scrutiny of said nomination papers, and be empowered to reject any which he may deem informal.

Printed image digitised by the University of Southampton Library Digitisation Unit

If there be more candidates duly nominated than there are vacancies, the Lord Mayor, mayor, or chairman of the board, chairman of the town commissioners, or chairman of meeting shall thereupon name a day within seven days from that day to hold the election, which election shall be by ballot and shall be held within the hours of eight a.m. and eight p.m.

The ballot paper shall be in the form required for Parliamentary elections, and the elections shall be conducted in all respects in the same manner as Parliamentary elections.

Term of office and provision for tri-yearly retirement.

8. Every such election shall be for three years, and at the end of the third year and each year afterwards one third of said elected commissioners shall retire in the following order, viz., the one third in number lowest on the poll at first election to retire at end of third year, and in like order the second third to retire at end of fourth year, and the remaining third at end of fifth year, and each subsequent year the third longest in office to retire in like manner.

Provision where full number not elected.

9. If at any election of Harbour Commissioners the full number of members be not elected, the duly elected members shall, at their first sitting after such election, be empowered to co-opt a sufficient number to fill the vacancy or vacancies, and in like manner shall be empowered to fill any vacancy that may arise by death, resignation, or otherwise, and every member so co-opted shall in all respects be as if he had been elected.

Five members shall form a quorum at a board meeting, and three members at a committee meeting.

Act Geo. 3. c. 19. not to apply to members of board.

10. Nothing in section thirteen of the Act of George the Third, chapter nineteen, shall apply to a member of the Board of Harbour Commissioners elected as in the manner prescribed in this Act.

Levying of tolls and payment of expenses.

11. The Board of Harbour Commissioners shall, with the approval of the Board of Trade, be empowered to levy tolls, rates, or other charges, and out of such tolls, rates, or charges, and shall also be empowered, with like approval of the Board of Trade, to pay salaries and wages to their officers and employés, and to pay any or such other necessary expenses as may be deemed proper for the improvement of the harbour and the keeping in repair all works, piers, quays, buildings, dredgers, and such other requisites as may be necessary for the maintenance and improvement of the harbour, and all works in connexion therewith.

Framing of byelaws.

12. The Board of Harbour Commissioners may from time to time frame byelaws for the carrying out of this Act and all purposes connected with the harbour, which byelaws shall take effect on

Printed image digitised by the University of Southampton Library Digitisation Unit

A.D. 1888.

being adopted at a meeting of the board by a majority of not less than two thirds of the entire number constituting the board.

Repeal of existing Acts.

13. Where any Local Act shall be antagonistic to this, the section or sections of such Local Act or Acts defining the number and mode of election of the members of the harbour board, and also the qualification of the electors and mode of election, are hereby repealed; and as regards the Port and Docks Board, Dublin, sections four to seventy-two, both inclusive, of the Dublin Port Act, 1867, are hereby repealed, and as regards all other Local Acts relating to any local harbour authorities, such Acts or portions of such Acts as are repugnant to this shall from the *passing of this Act* be no longer in force, and are by this Act hereby repealed.

Existing harbour boards to be dissolved.

14. On the *thirtieth day of November* after the passing of this Act the existing Port and Docks Board of Dublin and the present existing port and harbour boards elsewhere in Ireland shall cease to exist, and a new board of commissioners shall on the following first day of December be nominated and elected in accordance with the provisions of this Act.

15. This Act shall apply only to Ireland and shall come into operation on the *first day of December one thousand eight hundred and eighty-eight.*

SCHEDULE I.

The number of members constituting the Board shall be:—

In cities and towns over		150,000	population,	30	members.
"	"	100,000	"	24	"
"	"	50,000	"	21	"
"	"	20,000	"	18	"
"	"	10,000	"	15	"
"	"	5,000	"	12	"
"	"	under 5,000	"	9	"

Printed image digitised by the University of Southampton Library Digitisation Unit

Port and Harbour Authorities (Ireland).

B I L L

To amend the Law relating to Port and Harbour Authorities in Ireland.

(*Prepared and brought in by Mr J F X O'Brien, Mr Peter M'Donald Mr T Harrington, Mr Sexton, Mr Dwyer Gray, and Mr Hooper*)

Ordered, by The House of Commons, *to be Printed*, 10 *February* 1888.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY

And to be purchased, either directly or through any Bookseller, from Eyre and Spottiswoode, East Harding Street, Fleet Street, E.C., and 32 Abingdon Street, Westminster, S.W.; or Adam and Charles Black, North Bridge, Edinburgh; or Hodges, Figgis, & Co., 104, Grafton Street, Dublin.

[*Under* 1 *oz Price* 1*d*.]

[Bill 46.]

Printed image digitised by the University of Southampton Library Digitisation Unit